

Central Union School District Board Policy

BP 6174 (a)

Instruction

Education For English Language Learners

The Governing Board intends to provide English language learners with a challenging core curriculum and instruction that develop proficiency in English as rapidly and effectively as possible in order to assist students in becoming productive members of our society.

The District's program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers.

To ensure that the District is using sound methods that effectively serve the needs of English language learners, the Superintendent or designee shall annually examine program results, including reports of the students' academic achievement and their progress towards proficiency in English.

(cf. 4112.22/4212.22 - Staff Teaching Students of Limited-English Proficiency)
(cf. 6190 - Evaluation of the Instructional Program)

The Board encourages staff to exchange information with other districts and the county office of education about programs, options and strategies for English language learners that succeed under various demographic conditions.

The Superintendent or designee shall maintain procedures which provide for the identification, assessment and placement of English language learners and for their redesignation based on criteria adopted by the Board and specified in administrative regulations.

The progress of students who have been redesignated as fluent English proficient. The Superintendent or designee shall annually report these findings to the Board and shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Type of Instruction

Students who are English language learners shall be educated through "structured English immersion". (*Education Code 305, 306*)

When an English language learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education or any locally developed assessments and using other criteria developed by the district, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is "overwhelmingly" in English. (*Education Code 305; 5 CCR 11301*)

An English language learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:

CELDT English Fluency-overall score of Early Advanced or Advanced;
Proficient or Advanced on California Standards Test (CST-)
English Language Arts (ELA); Core GPA, GPA ELA and Math, Teacher
observation, and parent involvement meeting.

(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6171 - Title I Programs)

Upon the request of his/her parent/guardian, a student shall be placed in an English language mainstream classroom. *(5 CCR 11301)*

Parental Exception Waivers

Parent/guardian requests for waivers from Education Code 305 shall be granted in accordance with law and administrative regulation.

If less than 20 students at the same grade level in an individual school request a waiver, the student shall be allowed to transfer to another public school in which a specific class is offered. *(Education Code 310)*

Students wishing to transfer shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)
(cf. 5117.1 - Interdistrict Attendance Agreements)
(cf. 5117.2 - Alternative Interdistrict Attendance Program)

Legal Reference:

EDUCATION CODE

300-340 English language education for immigrant children
430-446 English Learner and Immigrant Pupil Federal Conformity Act
33308.5 CDE guidelines not binding
44253.5-44253.10 Certification for bilingual-cross-cultural competence
48985 Notices to parents in language other than English
51101 Rights of parents to information
51101.1 Rights for parents of English learners
52130-52135 Impacted languages act of 1984
52160-52178 Bilingual Bicultural Act
52180-52186 Bilingual teacher training assistance program
54000-54041 Programs for disadvantaged children
60810-60812 Assessment of language development
62001-62005.5 Evaluation and sunseting of programs

CODE OF REGULATIONS, TITLE 5

4320 Determination of funding to support program to overcome the linguistic difficulties of English learners

11300-11316 English Language Learner Education

11510-11516 California English Language Development Test

UNITED STATES CODE, TITLE 20

1701-1705 Equal Educational Opportunities Act

6312 Local education agency plans

6801-6871 Title III, Language instruction for limited English proficient and immigrant students

COURT DECISIONS

Valeria G. v. Wilson, (9th Circuit) 2002 U.S. App. Lexis 20956

California Teachers Association et al. v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

Casteneda v. Pickard, (5th Cir. 1981) 648 F.2d 989

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines for Reclassification of English Learners, September 2002

Accommodations for the California English Language Development Test, Revised 8/13/01

WEB SITES

CDE: <http://www.cde.ca.gov>

CSBA: <http://www.csba.org>

Regulation

Approved:

March 12, 1998

Revised:

April 12, 1999

Revised:

June 12, 2006

CENTRAL UNION SCHOOL DISTRICT

Lemoore, California 93245